

not used

Def. Case No. 1180

T A T I K

United States of America et al
v. against
RAKI, Wong et al

CHORI DEPOSITION (Translation)

Deponent : MATIO, Yosnie

Having first duly sworn an oath as on attached sheet and
in accordance with the procedure followed in my country I hereby
depose as follows.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

THE UNITED STATES OF AMERICA, et al

-vs-

MR. I, Sudao, et al

APPENDIX

Name: SAITO, Yoshie

I entered the Foreign Ministry shortly after graduating in the 42nd year of Meiji (1909) from the Law Department of the Tokyo Imperial University. In the beginning, I served at Peking and Tientsin as an assistant to diplomats and consuls. During this period I made journeys to the Outer Mongolia and Kansu. In the 1st year of Taisho (1912) I returned to the main office of the Foreign Ministry to serve in the China Affairs Section of the Political Affairs Bureau. In the 4th year of Taisho (1915) I was appointed Secretary of the Commercial Affairs Bureau of the Foreign Ministry and was ordered to concern myself in Chinese affairs. Thereafter I was appointed Consul in Hankow and then in Fuchow. After finishing these services, I served for a certain interval as Secretary of the Embassy at Washington when SHIDENJIRO, Kijuro was Ambassador. In the 11th year of Taisho (1922), prior to the Washington Conference, I returned to Japan and served in the European-American Affairs Bureau for about a half year. Subsequently, I was appointed Chief of the 1st Section of the Commercial Affairs Bureau, and during this term of office, served concurrently as Acting Director of the Commercial Bureau when the Director was absent. It was then that I made a draft of the instructions for the Chinese Tariff Conference. Thereafter, I was

formally appointed Director of the Commercial Affairs Bureau. I was devoting myself to the Chinese and Russian affairs by the 15th year of Taisho (1926).

In the 1st year of Showa (1926), retiring from the Foreign Ministry, I was appointed Director of the South Manchuria Railway Company to deal with the matters concerning foreign countries and foreigners. At the end of the 6th year of Showa (1931) I was commissioned as an advisor to the Kwantung Army.

Since the 9th year of Showa (1934), I was an advisor to the South Manchuria Railway Company and was despatched to China. During this term, I was also temporarily commissioned as a diplomatic advisor to the China Expeditionary Army. During these 7 years in China, I visited almost all the provinces in Central and Southern China.

I was appointed as a diplomatic advisor to the Foreign Ministry when Mr. MATSUOKA, Yosuke became Foreign Minister in the KONOYE Cabinet which was organized in July, the 15th year of Showa (1940). After retiring from this post upon the resignation en bloc of the 2nd KONOYE Cabinet in June, the 16th year of Showa (1941), I was appointed Supreme Advisor of the South Manchuria Railway Company up to the time just before the termination of war.

Among books I have written on Manchuria and China problems, the principal ones are as follows:

"Legal Bases of Economic Activities of Foreigners in China"
12 volumes in all

"Comments on the Economic Treaties Concerning China"
Vol. I (Only "Nature of Opened Market" published)

Vol. II and following volumes
in manuscripts. Not published.

"Outline of International Relations with China"

"Study on the Chinese Guild System"

"Introduction to the Recent History of China's Foreign Policy"

The Main Subject: Vols. I, II, I

It may rightly be said that the Manchuria Incident and the China Incident were brought about by the positive diplomatic policy which Japan was compelled to take in order to maintain her national existence, rights and interests. As the basic causes which have led to such incidents, the following must be mentioned:

1. Peculiar conditions existing within China.
2. Peculiar diplomatic trickeries resorted to by the Chinese authorities.
3. Special geographical and economical relations existing between Japan and China.
4. Prohibition or restriction of Japanese immigration and trade by foreign nations.

The truth of the Sino-Japanese conflict can never be fully understood without having sufficient knowledge about these matters. Therefore, I shall further explain the above-mentioned items, basing my explanation on my experience of more than 20 years as a diplomat, on the results of my observations in various parts of China (I have visited various places as far as the Outer Mongolia, Kansu Province, etc.), and on my knowledge acquired by many years' investigation on China problems and so forth.

Chapter I

Peculiar situations existing within China inevitably call for peculiar diplomatic measures to cope with the nature of the incident and the general situation.

A. According to the result of my observation and research, there exists in China no government with sufficient power to control the entire land. Therefore, it is often very difficult to make a diplomatic agreement of great importance and consequently, even when an agreement is reached, we sometimes cannot expect it to be completely enforced.

From old times, there existed in China no strong government able to dominate the entire territory. Every government, since

the time of the Tang and Sung Dynasties, had set up itself after overthrowing the existing government by force and I have heard of no one who had reigned over the land by the will of the people.

The government, therefore, is in substance an organization merely composed of civil and military functionaries, and usually has no direct representation of the people's will in respect to its formation and actual politics. All that the government did was to rule the people within the scope of its armed influence. "Unruled regions", as they are called by the Chinese government, are those districts outside the sphere of influence of the government where independent and self-existing administration is conducted.

Although the Republic of China, established in 1910 with democracy as its principle, has carried out considerable reforms in its policy and administration, the long-established people's idea of a government and their time-honored customs cannot easily be changed. The old situation still remained unchanged. The entire China, as a matter of fact, has been controlled by a number of independent political organizations and they have had little time except for fighting civil wars. These are worldly known facts. It was because of these facts that the international treaty of 1922, known as the Nine Powers' Treaty, had to include a clause, "To provide the fullest and most unembarrassed opportunity for China to develop and maintain a strong and stable government."

Then, why do such situations still exist in recent China? We cannot overlook that the cause is so deep-rooted and old that they cannot easily be removed. The reasons are innumerable but the main points are as follows:

First, the people's idea of a government is quite different from that of the people of a modern, unified state. That is, the people, as a rule, regard a government as belonging to the

officials and has little interest in it. A famous proverb of China, "Going out in the morning to till the soil and coming home in the evening to sleep, we have nothing to do with an emperor," tells us most clearly the people's idea of a government.

Secondly, extreme lack of communication facilities can be mentioned. It is true that, even in China proper, the time required to reach somewhat distant places is calculated by 'months'. Thus, it is natural that so-called 'preservation of the central political power' could not be expected.

Thirdly, I must point out the lack of homogeneity of language and the variety of races. China has various languages, each coming under an entirely different category. The Northern Mandarin and Southern Mandarin which are most widely spoken have different vocal sounds and are not generally understood outside of the officialdom. Furthermore, dialects are spoken besides Mandarin. For instance, Kwangtung has the Kwangtung dialect, Shanghai has the Shanghai dialect and in this way each Province has its own dialect. It is a well-known fact that only several miles from Fuchow, the capital of Fukien Province, entirely different languages are spoken and that there are many non-literate native dialects. Still more, in the frontier regions the Tibetan language is spoken in Tibet, the archaic Asiatic language in the southern part of Kwanghsia, the Mongolian language in Mongolia, and the Persian language in Ili and Hsinkiang. The official gazettes of China were at times written in both the Chinese and Persian languages in the south-western districts. Such being the case with the languages and literatures, we frequently come across not a few Chinese in the streets and other places who converse in English with one another. Racial differences intensify the complexity of languages and letters. The majority of populations in Kwanghsia and

Kansu Provinces seem to belong to foreign stock in the eyes of Chinese who live in China proper. In such border regions as Mongolia, Hsinkiang, Tibet, etc., all the inhabitants are of foreign races with a very few exceptions. These foreign races are different in their manners, customs and ideas from the Chinese. It is no exaggeration to say that there is none of them who does not harbour a hostile feeling against the Chinese. The lack of homogeneity of language and the variety of races have been great impediments to realizing the political unification of China and it is not at all possible to expect the central political power pervade throughout China. The government of General Chieng-kai-Shek, in view of this condition, has made a great effort to spread the national language and to unify languages. But the results are not noticeable up to present.

The foregoing explains the fact that the lack of control and a strong government in China contributes greatly to the fundamental cause of the situation. Consequently, very often a situation develops whereby, unlike between other civilized nations, unconventional diplomatic negotiation had to be carried out. The first reason is that, occasionally the government authorities, because of inability to fulfil their agreement with other nations in regard to the matters seriously affecting the people's interests especially the matters concerning different races, cannot take full responsibilities.

Secondly, the government, in spite of its intentions, is sometimes influenced by some group who is powerful with a great army at its command. The third is frequent occurrences of civil wars. Fourthly, mass power of the people is so strong as to influence the government policy. Accordingly diplomatic negotiations frequent run into difficulties and the important matters are left unsettled.

The states concerned, in regard to minor matters, can unwillingly drop them. But as a matter of course, they cannot do so when they are confronted with a problem of vital importance. As for matters concluded with the Chinese government, we can expect them to be carried out within those regions to which the government's authority is extended. If an agreement covers the entire of China, the foreign states concerned can only realize that it will be enforced locally, and their only consolation will be the fact that at least it is written on paper. There is an alternative to make up for this and that is to negotiate with the local governments. However, their political power does not, as a rule, pervade through the regions which come under them.

B. Military men, with armies at their command, can easily sway the government's intention, and this fact greatly complicates diplomatic negotiations. Successive governments of China had, without exception, secured their power by force of arms. Consequently, in contrast with the influential power of military men, civil officials curry favor with them, and, unless they blindly follow the intention of military men, they could not even expect the security of their lives and properties, not to speak of maintaining their positions. Military men with substantial power meddle in legislation, administration and judicature, according to their own interests, while the government could do nothing about it. This state of affairs has been important to some extent since the establishment of the Republic of China. But speaking of China on the whole, the old situation remains unchanged. China has both the theory and system by which legislation, administration and judicature are made independent of each other but in actuality this does not work out. Often we find it difficult to succeed in diplomatic negotiations when we deal only with the central or local

government. Therefore, while negotiating with the government, it becomes necessary to persuade the military men with power. When powerful military officers did not care to agree with us, we could not, as a rule, hope for bringing any diplomatic matter to a conclusion.

C. When the brutal force of the mass is directed against diplomatic matters, it becomes impossible to take a normal course of diplomatic negotiations. There is no modern state, above all, no democratic state, which does not make it an iron rule of politics to have respect for public opinion. In such a nation the people are given an opportunity to lawfully express their will and there is a system through which the people can do so. Furthermore, there is a way to judge and adjust people's will so as to keep it rational in order to reflect it in the national administration. Thus in such a nation the people's will and the politics are in line. In China, however, because such organizations and systems are lacking, so-called public opinion becomes confused and inconsistent in the process of its formation or in the process of translating it into action.

Let me hereupon observe the process of forming public opinion in China. A small group of people (leaders at times used to be young and inexperienced students, and other times hoodlums) first taking advantage of the Chinese people's susceptibility to agitation, spread their opinion among their circles; as soon as they obtain approval of a slightly larger number of people, they form a faction and win over the mass by exercising their group power. And thus after shaping so-called public opinion, they try to realize it by the force of mass movement of the people. Furthermore, such a movement is unconventional, accompanied by violence. Both natives and foreigners made an object of this

movement, were subjected to violence and threat, their livelihood disturbed, their residences burned down or demolished and their possessions destroyed by fire and relinquished. Such offenses were often accompanied by killing and wounding.

And it may be Britain and Japan who suffered the heaviest damage on account of such mass movements. The recent examples are the anti-British riots of 1924 in Hongkong, Canton and other cities, the May 30 Incident of 1925, and the riot of 1926, in an attempt to restore the British Exclusive Settlements in Hankow and Kuikiang. All these violent movements were aimed at encroaching upon the British rights and interests, and consequently the lives and properties of British subjects were at all times subjected to violence. At Shameen and Canton, even a state of hostilities existed. As to those movements which have been so often repeated for the purpose of discrimination of Japanese goods, the Chinese people first took such passive measures as the boycott of Japanese goods and the withdrawal of Chinese employees from the Japanese, then resorted to positive actions as attacking the Japanese lives and properties. Their outrages were undescribable. Every nation became from time to time an object of the mass movements. Not to mention the Boxer Incident of 1900, the general anti-foreign agitation at the time of the Nanking Incident of 1926 is one of the most outstanding examples.

As to the Chinese Government's attitude towards the above-mentioned movements, they were either unable to do anything or had no plans. With no sincerity to suppress the movements, they always waited with folded hands until the agitation cooled off. When the mass movements against Japanese goods took place, the Government tried to make Japan give in by instigating people or by utilizing them. Although a law to prohibit anti-Japanese movements was

promulgated, (the writer does not remember the date of the first law but the second law was promulgated in 1935) it proved to be ineffective and dead. To know why a Chinese mass movement can be so fervent and disorderly is absolutely necessary in grasping the true nature of such a movement, which has greatly to do with the Chinese conception of politics. The Chinese people have from ancient times been enjoying freedom and unrestrictedness almost unparalleled in any other country of the world. If anyone interferes in any way with their freedom, they stand up and fiercely resist him. Such is their characteristics. On the other hand, they heartily love their own homeland; and in their commercial and industrial business they usually organize a strong guild which is mainly maintained by members coming from the same province. The origin and functions of a 'guild' are quite different from those of an industrial association in other nations. A 'guild' is not stipulated by law and regulation. It has existed from old times as an organization for self-defense and mutual assistance. This organization is unique in the world in that its function is not merely to deal with industrial matters, but also to stipulate the ways of daily life and ceremonious affairs. Moreover, it tries in autonomous manner civil and criminal cases involving its members and even carries out capital punishments. The Government can not usually interfere with their business and they dare to resort to violence in case the Government policy is contrary to their interests or intentions. The Chinese people also have a peculiar and firm conception of self-defense. This conception originates from the fact that they cannot expect much legal protection in spite of disorderliness, repeated civil wars, rampancy of bandits, and the impotence of the administration. A traveler in China will witness that houses even in the interior rural districts

are surrounded by barrier walls with firing ports or high walls. And not a few rural millionaires have private armed guards of their own, numbering from scores to thousands. This is one of the reasons why mounted bandits and thieves form groups and equip themselves with weapons. Private corps, trained and armed in the military manner, are often organized when a civil war breaks out. They are called Commercial or Industrial Corps and are out of government control. Meanwhile, the Chinese people think the appearances of these corps to be a natural phenomenon as self-defense measures. In China there is another kind of self-defense corps called a "mixed army". While defending themselves, the numbers of the army protect their leader's life and property as his personal soldiers. In addition the army in response to a request of rural people, especially of wealthy classes, engages in the protection of their lives and properties. And, neither the Chinese army authorities nor the government has nothing to do with the organization and existence of the "mixed army". Units of the mixed army are often enlisted in the regular army under the name of Auxiliary Armies and come under the control of the regular army. In such cases, however, what the "mixed army" mainly aims at is to derive financial support and the employment of personnel and the decision on their provisions are still undertaken by the "mixed army" leaders. There are many peculiarities of self-defense of the Chinese. Firstly, their self-defense is backed up by the use of armed strength. (Self-defense organizations possess swords, rifles, pistols and sometimes guns. It is told that even airplanes are used in the "Delta" zone of Canton.) Secondly, factions are formed and the power of multitude is always exhibited. Self-defense measures are indeed legitimate in any nation, but they are allowed only when an acute situation calls for them and the victim has no

alternative. But in China a self-defense measure is often resorted to even when there is no imminent threat. Thirdly, the actions of these self-defense organizations do not always conform to the laws and orders of the government. As evidence in the anti-foreign agitations, these organizations launch campaigns in answer to other mass movements. The above-mentioned peculiarities clearly indicate how mass movements originated in China and show the reason why they resort to peculiar actions. And these peculiarities have not only helped to develop a special form and system of the Chinese internal administration, but also have fostered a singular conception of diplomatic problems in the minds of the Chinese people. They take it for granted that they deal, on their own accord, with diplomatic affairs which they want to develop in their own favor, not wishing to leave them solely to the government. Hence it follows that they resort to the force of mass in tackling diplomatic matters. Such an instance is never seen in any other nation. The people's resorting to violence in regard to diplomacy and the lack of power and sinewry on the part of the government in suppressing mass movements make it necessary for the nation dealing with China, in respect to problems affecting the very existence of that nation, to stop such violent actions and to take whatever steps necessary to make the Chinese government follow a regular diplomatic procedure.

D. The fact that the Chinese have an intense feeling of discrimination and contempt toward foreigners cannot be overlooked. In the 3,000 years of Chinese history, the "Han" tribe, the backbone of the Chinese people, have enjoyed a higher culture than that of any other tribe. They called other tribes barbarians or regarded them as no better than birds or beasts. In spite of this, the Han tribe have suffered from trickeries played upon them by the neighboring tribes and their entire territory has more than once

been occupied by other tribes. The consequence is that the contempt for and the fear of other races has become a part of their traits. When Europeans and Americans began residing in China for the first time in the 18th century, the Chinese people regarded the white men as barbarians and treated them with contempt and discrimination. The fact that in the Nanking Treaty of 1842 between Britain and China one article stipulates that foreigners should not be called "barbarians" explains what went on during these days. As the Chinese had more chances to associate with foreigners, their antipathy towards aliens gradually subsided but it still remains unchanged in the interior regions of China. And this antipathy in the interior has mainly been directed to foreign missionaries, who exceptionally had the privilege to make permanent residences in the interior. This attitude of the Chinese was not shown merely because of religion, but was partly prompted by the idea of contempt and discrimination against foreigners. In fact, nearly all Chinese conflicts or wars against foreign nations (the Opium War of 1842 between Britain and China, wars against the Allied Armies of Britain and France in 1856 and 1860, the Yunnan Incident of 1874, the Boxer Incident of 1900, the Sino-Japanese Incident of 1932 and 1937, the Nanking Incident of 1926, etc.) were caused by their attitude of disdaining and excluding foreigners. So were often repeated mass movements. The Chinese people's strong feelings of disdaining and excluding foreign nations made it necessary for any nation negotiating with China to take special measures in diplomacy.

It was Japan that was placed in the most difficult position in confronting the excluding and disdaining attitude of the Chinese. As will be explained in another section, the Japanese relation with China involves not a few conditions which can neither be conceded nor overlooked from the standpoint of maintaining Japan's right of existence. It is because Japan was in such a difficult position th-

she was forced to overcome the anti-foreign idea of the Chinese.

Chapter II

The peculiarities of the Chinese diplomatic measures call for peculiar means of diplomatic negotiations.

The Chinese policy of checking one nation by means of another makes diplomatic dealings with China complex and difficult. Since the opening of the country in 1842, China has suffered under the oppression of other civilized nations. Whenever she felt it impossible to alleviate a difficult situation by her own strength, she has adopted a makeshift measure which is to check one nation by means of another. And Britain has, for the longest period, been the object of such policy, as she has held a dominant position in China longer than any other nation. Japan has also been often victimized by the same policy. It is because Japan has sought to settle the Sino-Japanese issue smoothly and without causing further complication that she has tried to avoid a third party's intervention or interference. Nothing is further from her intention than to establish the "Monroe" doctrine in the Far East. It was because of her such intention that she refused the mediation proposal of America, Britain and France in 1932 concerning the Sino-Japanese conflict, and declined to accept the advice of the Lytton Commission.

3. Evasion of responsibility by both the Chinese central and local governments makes it extremely difficult to reach an agreement in diplomatic negotiations.

It has so far been Japan's policy towards China to negotiate mainly with the central government in regard to general issues pertaining to the entire China or to more than two provinces, and with the local government as to local matters. The relations of interest between these governments are so complex and intricate that Japan could not always adhere to this policy, and very often had to

negotiate with both governments. In such cases, Japan has often confronted with evasion of responsibility on the part of both of them. The central government refers to the intentions of the local government, while the latter asks Japan to negotiate directly with the former. The complexity and prolongation of negotiations on this account may be forbearable; but the writer remembers a number of cases where even matters of greatest urgency and importance have been left unsettled without any sign of agreement in spite of long years' efforts. The lack of unity and other circumstances in China may inevitably cause such a situation but the nations dealing with China had to bear with her for a long time and suffered losses of interests and rights. As to a matter of greatest urgency and importance, a nation dealing with China sometimes comes to feel it impossible to proceed with ordinary diplomatic measures in reaching an agreement in negotiations. This cannot always be judged unreasonable.

C. The fact that the Chinese government made the most of mass movements as a means of executing its policies has become one of the peculiarities in China. China, ranking among the first-rate countries in the art of propelling diplomatic negotiation by smooth words and secret means, has often tried to turn the negotiation to her advantage by making use of mass movements. In making use of them, however, the government is bound to take up such an issue as can win public favor, since the Chinese masses do not always move as the government wishes. Along these lines, the Chinese government has of late succeeded in making good use of the mass movements for "Recovery of Rights". In fact, the "Recovery of Rights" is a matter every Chinese government was deeply interested in and even the government of General Chiang-kai-Shek adopted this principle as a basis of its diplomacy soon after the capital was removed to Nanking in 1926. We can trace back the origin of the popular sentiment for

"Recovery of Rights" to the Russo-Japanese War and this was the subject most suitable for gaining popular sympathy because it had been so deep rooted in the heart of every Chinese.

On the other hand, her official negotiations by diplomats for "Recovery of Rights" came to a deadlock with difficulties every time when they were carried on. When the Government found it difficult to attain its object concerning the "Recovery of Settlements", "Abolition of Extraterritoriality" and "Regaining of Customs Autonomy" on account of (1) the situations existing within China, (for instance, as to the abolition of extraterritoriality, it was agreed to be abolished in principle only with a condition that the Chinese legislation be remolded), (2) of the complication of the interests of other powers, (for instance, concerning the extraterritoriality, every power concerned, for fear of upsetting the equal status of the powers, agreed to abolish it on condition that all the other powers also agree to do so, and (3) of the disapproval of some powers concerned, (for instance, Italy opposed strongly to yielding her exclusive concession), it continued on one hand its diplomatic negotiations, and on the other hand undertook to agitate, utilize and instigate the masses in order to facilitate the negotiations. But the people engaged in the movements did not always move as the government desired and they occasionally went so far as to assault the government authorities concerned, blaming them for their slow and poor tactics in diplomatic negotiations, (for instance, in 1927, Foreign Minister Wang Cheng-ting was beaten by a mob in his office). Yet so far as the movements are directed toward the foreign nations, the government tactfully took advantage of them, idly watching at the mobs violate treaties and commit inhuman acts such as assault, threat, setting fire and damaging foreign goods, and forcing their way into foreigners' residences and destroying them.

With this force of violence, the government expected to turn the negotiation to their advantage. Every power concerned, annoyed by the menace of such mass movements, repeated a strong protest to the government in every case. The Chinese government, however, did more than issue a formal admonition to the people or acted perfunctorily in checking such movements, lacking sincerity and ability to settle the agitation. As a matter of fact, the Government on many occasions seemed to hope secretly for more violent movements. In an extreme case the Chinese government once dared to declare, as a reply to the protest made by a foreign nation, a mass movement carried out in the spirit of patriotism should not be suppressed. Thus the powers had to make a concession to the Chinese government repeatedly and accept her demands. There are many instances of this kind and one of these is that the United Kingdom, suffering from the outrages committed by the local mobs against her exclusive concessions at Hankow and Chiuchiang in 1926, had no choice but to sign the agreement, giving up the concessions and announcing the so-called "New Policy towards China". Though the policy of "checkin' a nation by means of another nation" is not right in the way of diplomacy, it cannot be condemned as unlawful. However, it is the most unfriendly and outrageous precedent ever seen in any other country for the government to instigate the people to do grave harm and menace to the foreigners and their properties and interests in China, to do nothing when those violent actions are committed and to use the situation for the advantage of their diplomatic negotiations. The Japanese government and the people are the victims who suffered most from those frequent and extreme atrocities. Harms done in the course of repeated anti-Japanese movements to all of the Japanese residents, including young and old, women and children, are incalculable and the atrocities and outrages committed by the participants of the mass movements are beyond description. The

Japanese government was continuously making protests to the Chinese government to suppress the outrageous masses, to indemnify the sufferers and to guarantee against similar troubles in the future. But the hundreds of her protests brought no result as if they were gravel thrown into deep waters. As a result a great number of Japanese residents had to face a miserable condition, losing their jobs and properties, driven out of their homes, hardly being able to make a living and many being left to die. Under those circumstances to continue to trade with China even within minimum limit was difficult. Needless to say, Japan was driven into a plight in which she could not even dream of such a thing as economical cooperation with China which is a vital problem affecting the life of Japan. In the beginning the situation existed locally and it did not last too long but it spread all over China in time and began to last for a long period. Consequently, Japan found herself in such a plight that she had to resort to something other than a conventional course of diplomacy in order to protest her lawful rights and interests in China and to save herself from being ruined. In studying the causes of the outbreaks of the Manchurian Incident and the China Affairs, one can never make a right judgment unless he bears these things in mind.

Chapter III

The peculiar relation between Japan and China created many important conditions which directly affected the existence of Japan, and none of these conditions could be left unsettled.

Although there are many nations which have great interests in China, Japan alone had many grave problems which had to be settled diplomatically as soon as possible for her to maintain her existence.

It is based, needless to say, upon geographical proximity to China that China's problem is a problem of life or death for

Japan. The relation between Japan and China is not at all comparable to that between America or European countries and China. The Ishii-Lansing Agreement, concluded between Japan and America in 1917, endorsed the fact that Japan is in a peculiar relation with China because of her geographical position. But when we make a further study on this problem, we find that what really makes the China problem so important is her plight caused by her over-population for the solution of which the special position of China was considered

Japan was worried about the increase of her population amounting to 800,000 to 900,000 a year. And the inevitable difficulty and uneasiness caused by this in her political, social and economical aspects grew more serious year after year. Thus whether or not an effective measure can be taken in respect to this problem became a grave and burning problem upon which depended the existence of the state. But unfortunately, Japan had practically no room to exploit in her own land. "Birth Control" policy could not be effectively put into practice. There were only two alternatives left; one was emigration and the other was further development of national industries. However, every state and land suitable for immigration closed the door to Japanese emigrants and there was a country, with all her vast territories and limitless resources, that went so far as to deport the Japanese immigrants already settled there. Thus, to solve the problem of over-population by means of emigration became entirely hopeless. Consequently, the only way left for Japan was to develop her industries if she wished to continue her existence. However, Japan not being blessed with natural resources and lands, had to seek outside of her territory those materials essential to the development of her industries. Although a market for Japanese manufactures had also to be found abroad, things were far from what she expected. To speak about industrial materials, as Japan's industries recently increased its productive power and her

manufactures became more active in debouching into the world markets many of the productive countries gradually limited their supply of industrial materials to Japan. And just prior to the outbreak of the Manchurian Affair, Japan's industries suffered a terrible oppression in some countries, such as restriction or prohibition of export and import, operation of customs systems, denial of making bargains, and other bold steps to restrict Japan's export. Furthermore, as for foreign markets, Japanese goods, soon after the First World War, met with heavy customs duties which increased year by year and with other restrictions or they were totally prohibited. And the Japanese government, with little hope for the future, did all she could to map out counter-measures to deal with various boycotts.

Consequently, in order to maintain her existence, Japan was obliged to concentrate all her efforts towards the China continent, giving up her industrial policy to trade with the world at large. This ultimately led up to the outbreak of both the Manchurian and the Chinese incidents. It may not be an exaggeration to say that the states which excluded Japanese from emigrating into their countries and oppressed Japan in regard to her trade are partly to blame for the above two troubles. Japan never had a territorial ambition in China. Japan's intention was nothing but to ask China for materials Japan is wanting and to meet the demand of China for goods which China needs and thus, by the combined efforts of the two to bring forth an intimate relation and peace in the Far East, which ultimately contributes to the world peace. This is, of course, not a hypocritical diplomatic eulogy. This is the fundamental principle of Japan towards China which I have been inculcated by the senior authorities and which I have endeavored to realize through my over twenty years of diplomatic service. The reason why Japan had been patient and tolerant in spite of the "anti-Japan and exclude Japan movements", which were insultingly and outrageously repeated

The idea of China, is that Japan considered that the two nations were destined to cooperate with each other in the end. But between these two nations there were some grave factors which obstructed the achievement of this ideal. Uniqueness between Japan and China was important among those factors. There is no cooperation without equality. Japan hoped for a long time that the two states, by discarding uniqueness, come to good terms and unite amicably and completely on equal basis. Originally, Japan's privilege of uniqueness in China was acquired only when the "Sino-Japanese Treaty of Commerce and Navigation" was concluded in 1895, about fifty years later than England and the other countries had come to enjoy a privilege of the kind. But already, in 1901, Japan agreed with China on a principle to abolish the extraterritoriality by concluding the supplementary treaty of Sino-Japanese Commerce and Navigation. Then she willingly signed the various treaties and agreements concluded or adopted at the Washington Conference in 1922. Furthermore, at the international conference on the "Chinese Tariff Reform" held at Peking in 1925, she led the meeting by proposing the draft of a most liberal treaty in regard to the restoration of customs autonomy of China in spite of her enormous loss in foreign trade. Thereafter, she always expressed her greatest sympathy towards the desire of the Chinese people to denounce "unequal treaties" and hoped that they could attain their object as soon as possible. Although unfortunately the realization of the Chinese people's desire was delayed because of the complication of rights and interests of the other states involved and other reasons, Japan, by concluding several agreements with the Nanking government in 1940, waived the extraterritoriality, gave back her special concessions and provided a basic principle of economical cooperation. Although these treaties are invalid today, they are evidences through which one can learn what the Japan's principle towards China has been.

In those days Japan was ready to go a step further to conclude with China such treaties as could contribute to the welfare of China. Japan would have been willing, as a matter of course, to cooperate with the Chiang-ki-Shek government if the Chiang-ki-Shek government had so desired. She would also have been ready to make further concessions if the Chiang government had accepted her proposition for economical cooperation between Japan and China. Japan's withdrawal of her troops from every part of China, which was considered most important by the Chiang government, was to be realized as soon as an agreement could have been reached on the principle laid down when the troops were first dispatched. Much to our disappointment, however, the frequent negotiations for peace proposed by Japan to the government was unfortunately not accepted in any way and the situation finally developed into what it is today. World-wide questions are: "Why Japan tried to realize, by force, her principle towards China if she aimed at economical cooperation?" "Would not the use of arms make economical cooperation between Japan and China impossible?" Although Japan can easily answer in affirmative to these questions in principle, what was there for her to do? The situation in China forced her to take measures other than a conventional course of diplomacy and to resort to a strong method the fact which I have roughly described in Chapters I, II and this chapter. In short, Japan, while obliged to maintain her state existence, was unable to reach anywhere through years of diplomatic negotiations, hampered by the peculiar situations in China, but instead, confronted with the challenge of the Chinese mass movements. She was thus compelled to take up arms to protect her vested rights and interests, the lives and properties of the Japanese residents, and to lay a foundation on which Japan and China might be able to realize complete economic cooperation in the future.

The necessity and enthusiasm of the Japanese to depend upon

China have never been so great as during the periods of the Manchurian Incident and the Chin Affair. In such times, why should Japan voluntarily undertake to do something that might even temporarily impede the diplomatic relations with China? Primarily, diplomatic dealings are often carried out by taking advantage of the weak point of the opposing people. For example, intimidation or use of force was often applied in order to make the most of the Chinese weakness in power. It is no exaggeration to say that by such tactics was concluded the majority of the treaties between China and Britain, France, Russia, etc., in the 19th century and the first half of the 20th century since China opened her door in 1842. Especially, China was made by the combined forces of many big powers to conclude the treaties in settling the Boxer Uprising in 1900. Although Istellen we do not hear many instances that European states or America unscrupulously used such a means, we can not say that there has not been any. As a matter of fact, in the "May 30 Incident" in 1925, Britain landed big forces as many as 20,000 in China, and other powers also landed their marines at Shanghai; in 1926 the British warship fired on Wenhien; in 1920 (?) the Soviet Russia attacked the Manchurian forces in the border districts of China and Siberia when Cheng Tsuo-lin carried out anti-Russian movements; when the Nanking Incident broke out in 1926, warships of America, Britain, France, Japan, etc., bombarded the fort of Nanking.

For a long time, many powers stationed their garrison troops in Peking-Tientsin district; and regularly posted many warships with marines on board in the ports or rivers of China along which principal cities were located. And a kind of fighting troops were often organized by their residents and trained under the leadership of military officers. The aim of all these preparations was to apply force in emergency. Of the above, the system of stationing forces in North China was abolished according to the decision at the

Washington Conference in 1922, but the others still remained in practice.

Some powers might consider that these measures were taken for the protection of their residents in case of emergency. For countries to whom the protection of their interests means no more than the protection of their residents, forces can be stationed in China actually for such a purpose only. Japanese interests in China are much different. Especially, Japanese interests concerning the economic cooperation between Japan and China as already referred to were so grave as to effect the very existence of Japan. Therefore, I believe that the other nations cannot but realize the fact that Japan, under unavoidable circumstances, must resort to a strong method at times in order to protect her interests.

Generally speaking, if one nation resorts to arms against another nation, it usually causes a war; and even if force is not used, oppression and menace by force constitute the danger of outbreak of a war. What must be taken into consideration also is the fact that it is not always the case with China because of the peculiar situation existing there. For instance, Britain concluded the Chefoo Treaty by concentrating her forces at Hongkong at the time of the Yunnan Incident but it did not result in an Anglo-Chinese war. When the "Wuchow Incident" broke out in 1925, Britain landed 20,000 forces in China (Britain advised Japan to dispatch her forces jointly but was rejected by Japan) in settling the problem but that did not bring about a war between Britain and China. And also when the Nanking Incident took place in 1926, the bombardment of the fort of Nanking by America, Britain, France, etc., did not result in a war against China. In 1929 the Soviet forces attacked Chang Hsueh-liang's troops but in this case too it was not regarded as a war.

In view of these facts, it is clear that diplomacy towards China is something unique and unconventional; and the use of pressure against China, whether by military power or through

intimidation thereof, was the common means which many powers adopted in settling important diplomatic affairs.

Therefore, the fact that Japan used force in settling anti-Japanese problems should not be regarded as a deviation from these precedents, and even if her use of force did violate the common international laws, the peculiar situation in China forced Japan, much to her regret, to resort to such measures.

Let me repeat the real objectives for which Japan mobilized her troops in the Manchurian Incident and the China Affair. What Japan wanted was no more than to protect her own rights and interests guaranteed by the treaties between Japan and China by stopping violent actions on the part of Chinese people and by making Sino-Japanese diplomatic relations follow a normal course and to help to bring about a happy solution in respect to economic cooperation between the two states which was the matter of life and death for Japan. Therefore, it was the Japanese government's intention from the beginning to withdraw all her troops if it was possible to reach such a solution and understanding. The Chungking government under the control of General Chiang-kai-Shek took up the problem of troop withdrawal first of all and declared that no diplomatic negotiations will be carried out as to economic cooperation, etc., unless Japan withdraws her troops. However, it is regretful that the peculiar state of affairs in China, as already explained, did not allow Japan to concede to the intention of the Chinese government.

In short, Japan's dispatch of her troops to China in both incidents was pure self-defense military action without any aggressive intention and such a military action was not a violation of treaties. Upon conclusion of Kellogg-Briand Pact in 1928, Japan, like America and Britain, attached a reservation to the effect that the said Pact should not be applied in respect to the right of self-defense. Japan naturally had approved the statement, made at that time by the Secretary of State of U.S., to the effect that when and

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to what extent the right of self-defense can be used can only be decided by the party concerned. Accordingly, it is no other nation than Japan that can decide the extent and ways of using military forces in the incidents.

There may be differences of opinions as to whether or not the incidents can be regarded as wars. However, we must bear in mind that Japan had no intention to wage a war, that neither Japan nor China declared a war, and that there were many instances in the past when the use of force by other powers against China was not considered as a war. To judge any use of force in China as a war is to disregard the peculiar state of affairs in China. It is quite natural for Japan, who does not consider the China Affair and the Manchurian Incident as wars, to insist that none of the laws of war can be applied to these incidents. It is not right to consider the Japanese plan for economic cooperation between her and China as aggressive even though Japan used force in the Manchurian Incident and the China Incident. If the word "aggression" means extension of influence abroad, it is not only Japan that committed economic aggression. But if it means aggression in the true sense of the word, to call Japan an economically aggressive nation is a great slander.

Japan only tried to solve her acute problem of over-population on a mutual understanding with China so as to maintain her existence. Although various powers appealed to their big forces in North China in 1900, no one called their economic expansion to China economic aggression. And although warships of Britain, France, etc. shelled the city of Nanking during the Nanking Incident in 1925, I have never heard of anyone say that their economic activities in China are economic aggressions. It is difficult to see why the Japanese economic activities based upon the rights of treaties and aimed at economic cooperation between China and Japan should be aggressive on the ground that Japan used military forces in the Manchurian

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Incident and the China Affair.

The above mentioned plan for Sino-Japanese economic cooperation was not mapped out to deny the principle of equal opportunities in commerce and industry in China to various powers. Since the acceptance of the U.S. Secretary of State Hay's proposal in 1900, Japan participated in all treaties or agreements which acknowledged this principle of equal opportunities, promised to observe it strictly, and made every effort to conform to the treaties even in those cases in which her economic interests were unfavorably affected. Therefore, Sino-Japanese economic cooperation which Japan advocated was not for Japan to monopolize interests in regard to economic activities in China. However, there is one thing which I must add.

It is the fact that during the Manchurian and China Incidents, certain situations did not permit the principle of equal opportunities to be observed strictly. These situations were, generally speaking, attributable to the following causes:

(a) In purchasing goods which were absolutely necessary for military use, the quantity involved was so large that there was very little left for foreigners to buy.

(b) Owing to fighting, etc., general transactions were exceedingly cut down for a certain interval.

(c) As peace and order in the areas in which battles were fought were, for a certain term, disturbed so much that foreigners in general were compelled to hold off their business.

(d) On account of the strategical necessity of operation, foreigners were, for a certain term, prohibited from travelling in some districts.

Sometimes privileges similar to monopoly were granted to some Japanese firms, but they were limited only to specified enterprises and it was never denied to foreigners to run the same kinds of enterprises.

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But such situations as resulted from Japan's use of military forces against China were quite unavoidable, temporary and abnormal. They were of such nature as would be gradually brought back to normalcy with improvement of the condition. It is an extreme slander to say, judging from these matters, that Japan refused to give other powers equal opportunities in commerce and industry. Considering that Japan did intend to withdraw all her forces from China from the beginning, it is not justifiable to put too much stress upon the temporary measures referred to above. There are many precedents where the rights of foreigners granted by treaties were unavoidably restricted or suspended temporarily due to incidents, civil wars and conflicts. In such cases, the states concerned used to tolerate these things even when they could not but regard them as infringements of treaties. Why can it be that a generous attitude cannot be assumed towards Japan alone?

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Translation Certificate

I, Arthur A. Misaki, of the Defense Language Branch,
hereby certify that the foregoing translation described in the
above certificate is, to the best of my knowledge and belief, a
correct translation and is as near as possible to the meaning of
the original document.

/s/ Arthur A. Misaki

Tokyo, Japan
22 April 1947

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On this last day of Dec., 1946

At U.M.T.P.B.

DEPONENT SATO, Yoshie (seal)

I, KIYOSHI, Ichiro hereby certify that the above statement was sworn by the deponent, who affixed his signature and seal thereto in the presence of this witness.

On the same date
at the same place.

Witness: (signed) KIYOSH, Ichiro (seal)

OATH

In accordance with my conscience I swear to tell the whole truth withholding nothing and adding nothing.

一 予ハ明治四十二年ニ東京帝國大學法科大學ヲ卒業シ、即モナク外務省ニ入レリ。當初ハ北京及天津ニ於テ外交官補、領事官補タリ。此ノ期間ニ外蒙古、甘肅ニ旅行セシコトアリ。大正元年ニハ外務本省ニ歸り政務局支那課ニ以務ス。大正四年ヨリハ本省ノ通商局付書記官ヲ拜命シ、支那問題ニ關係スルコトヲ命ゼラル。其後長口及福州ノ領事ヲ拜命シ、其ノ任務ヲ終リテ後、一時ワシントン大使館ニ於テ書記官ヲ勤ム。當時ノ大使ハ幣原喜重郎氏ナリ。大正十一年ワシントン會議ノ前ニ歸朝、約半年位ハ該局ニ勤務、後ニ通商局第一課長ヲ命ゼラル。局長不在ノ場合アリシ爲、通商局長代理ヲモ勤メタリ。彼ノ文部省會議ノ訓令案ヲ起草シタコトモアリ。其後通商局長ヲ正式ニ命ゼラレ大正十五年夏ニハ文部及ロシアノ間ニ為念ス。

一 昭和元年外務省ヲ退キ、昭和川鐵道株式會社ノ重役トナリ、滿鐵ノ外國並ニ外國人ニ關スル仕事ヲ勤務ヘリ。昭和六年末ヨリ關東軍顧問ヲ嘱託セラル。又昭和九年ヨリハ滿鐵ノ顧問ヲ嘱託セラレ、支那ニ出張ヲ命ゼラル。此ノ間一時支那派遣軍ノ外交顧問ヲモ嘱託セラル。文部出張七年間ニハ、文部中南部各省始シ下足跡ノ到ラザルトコロナシ。

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一 昭和十五年七月近衛内閣方成立シ松岡洋右氏力外務大臣ニ就任スルヤ、予ハ外務省外交顧問ヲ命セラル。右は二十六年内閣方昭和十六年七月總辭職致シタル下ヤ、右が外務省外交顧問ノ職ヲ退キタル方其後南洋洲領事會社ノ坂高顧問ヲ託セラレ修械造船ニ及ベ。予ノ著書中清潤及中國ニ赴スルモノノ内主ナルモノハ次ノ如シ。

支那ニ於ケル外國人ノ活動ノ法的根據

全十二冊

支那經濟條約論 第一卷(即甲場ノ性質、出版ス)

第二卷以下稿了、未出版

支那經濟條約論

支那キルト制ノ研究

最近支那外交史序説

本論、上、中、下三卷

清潤事件及ビ支那事變、日本方國家ノ存立及權益ノ保持上國已ムヲ得ズシテ行ヒタル外交ニ因り致シタリト云フヘク、其ノ茲ニ至ル根本因由トシテハ

(1) 支那内部ニ存スル特務事情

(2) 支那當局ノ用フル特務ナル外交謀略

(3) 日支兩國間ニ存スル特務ナル地理的及ビ經濟的關係

(4) 外國ノ日本移民ト對日貿易ノ禁止又ハ制限
ノ四者ヲ禁ゲザルベカラズ。此等ノ事態ガ充分ニ
認識セラレザル限り日支紛争問題ノ本質ハ遂ニ之
ヲ知悉スルニ由ナカルベシ。依テ予ガ外交官トシ
テノ二十数年ノ経験、支那各地観察ノ結果へ遠ク
外蒙、甘寧等ノ諸地ヲモ観察シタリ一並ニ多年ニ
亘ル支那問題ノ研究等ニ基オ得タル知識ヲ基礎ト
シ前記各項ヲ順次左ニ説述セントス

(A) 第一章 支那ノ内部ニ存スル特殊事情ハ事件ノ
性質及ビ一層状勢ニ應ズル特殊ノ外交
手段ヲ不可遺ナラシム

私ノ研究シタ結果ニヨレバ支那ニ全土ヲ支配スル
實力アル政府存在セズ、爲メニ重大ナル外交事件
ノ協定ガ屢々団結トナリ又假令協定成立ヲ見タリ
トスルモ之レガ徹底的實施ヲ期待シ得ザルコトア
リ。

由來支那ニハ全土ヲ支配シ得ベキ鞏固ナル政府ノ
存シタルコトナシ、后宋以後ノ支那ノ歴朝ハ何レ
モ武力ニ依リテ既存ノ朝廷ヲ併シ其地位ヲ獲得シ
タルモノニシテ、人民ノ総意ニヨリ君臨シタルモ
ノアルヲ圖カズ、從テ政府ハ實質上文武官人ノミ
ノ集團的組織タルノ本質ヲ有シ、其ノ成立ノ因由
ト政治ノ實質トニ於テ、民意ト直接ノ關聯ナキヲ

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端トシ、唯武力ノ及ブ限リニ於テ人民ヲ規律シタ
ルニ過ギス、支那政府ノ自ラ説フ所ノ「化外」ノ
地トハ政府ノ威力行ハレスシテ獨立自存ノ政治ヲ
施行スル地也ナリ。一九一〇年出現シタル中華民
國ハ民主主義ヲ標榜スル文ケニ既謂乃ビ施政ニ相
當ノ憲草ヲ行ヒタリトハ云ヘ永年ニ亘ル國民ノ政
府認讃ト古來ヨリノ官憲トハ一朝一夕ニシテム
ベクモナク、誠然無事存シ、今支那ハ事實上以
多ノ獨立政治團体ニヨリテ支配セラレ、内亂ニ惟
レ日モ足ラザリシハ世界同知ノ事實ナリ。九國條
約トシテ始ラレタル一九二二年ノ國際條約ガ「支
那ガ自ラ有方且安國ナル政府ヲ獨立讓持スル為義
モ完全ニシテ且ツモ時時ナキ議會ヲ之ニ供與ス
ルコト」ノ一項ヲ證ケザルヲ得ザリシハ之方爲
ナリ。然ラバ斯クノ如キ次迄何故ニ懸近マテ猶
ホ支那ニ皆在スルヤト云フニ誠由極メテ然ク、且
ツ書クシテ一タニシテ之ヲ認ヌルヲ得ザルモノ
アルヲ看過スルヲ解ス、之ヲ評記スルノ邊ナキモ
疑スルニ第一ニ政府ニ歸スル民族ノ認識其他ノ近
代統一國家ノ夫レト大ニ異ナルコトナリ。即チ民
衆ハ政府ヲ以テ官人ノ政府ト心持、之レニ多クノ
懶心ヲ抱コトナキヲ常トス。支那ノ有名ナル古
語ニ「朝ニ出テテ拂シ、夕ニ歸ツテ禮メ、帝王我
ニ於テ何カ有ラン」と言ルハ民衆ノ對政府概念ヲ
最も明確ニ物語ルモノナリ。

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Ref

第二ニ交通設施ノ甚ダシキ不備ヲ擧タルヲ得ヘク支那本部内ニ於テハラ霜ヤ遠隔ノ地ニ至ル所長日數カ一月レシノ況算トシテ計算セラルハノ實情ニアリ。斯クアハ所謂中央政治力ノ運営ヲ期待シ得サルハ當然ナリ。第三ニ言語ノ不統一ト人種ノ多様ヲ擧ケサルヘカラス。支那ハ極メテ多種族ノ言語ヲ有シ、何レモ皆全然異ナリル一カテヨリトニ異ス。其ノ内最も廣く行ハルハ官話ニモ北方官話ト南方官話トハ音韻長ナリ、而カ元官場以外ニ少ク通用セス、又官話ノ外、多數ノ土語アリ。例ハハ長東ニハ廣東語アリ上海ニハ上海語アリト云フカ如ク各省皆固有ノ土語ヲ有ス、福建省ノ如キニ至リテハ、首都福州ヲ去ル數里ノ地ニシテ全然異ナリル言語ヲ有シ、文字ヲ存セサル土語多キハ有名ナル事實ナリ。然シ夫レ邊境地方ニ至リテハ西藏語、廣西ノ南部ニハ古代亞細亞語、蒙古ニハ蒙古語、寧錦中、新疆ニハ波斯語通用シ、支那ノ官報が西南諸地ニ於テ管テ漢文ト波斯文トヲ併用シタルコトアリ、言語文字ノ情勢此ノノ如クナルカ爲メ、支那人中英語ヲ以テ相互ノ意思ヲ表明シ合フモノ少ナカラサルハ支那ノ街頭等ニ於テ常に見ル所ナリ。言語文字ノ亂雜ハ亦人種ノ相違ニ依リテ益々甚シカラシメラル。支那本部ニ竹子云フモ廣西、貴州二省ノ人口ノ半數以上ハ漢人ヨリ見レハ

Dec / 13
A.M.

吳民族ニ戰ス。蒙古、新疆、西藏等ノ邊境ニ在リテ
 少數ノ例外ヲ除クノ外、總テ吳民族ナリ。而シテ此
 等吳民族ハ漢人ト夙俗、習慣、思想ヲ異ニシ、且ツ
 漢人ニ論シ、敵意ヲ有セザル者無シト云フモ過言ニ
 テラハ。言語ノ不統一及人種ノ差多ハ支那ノ政治統
 一ヲ妨碍スルコト極メテ多ク、中央政治力ノ運営ノ
 如キハ到底之ヲ期待スルヲ得ス。之レニ鑑ミ蔣介石
 將軍ノ政府ハ國語ノ普及ト言語ノ統一トニ多大ノ努
 力ヲ擲ヒタルモ效果ノ見ルヘキモノナクシテ今日ニ
 至リ。又那ニ統一セル國家ナク堅固ナル政府無キ
 コトカ極メテ根本的ナル事態ニ原因スルハ以上ノ如
 シ。其ノ結果、外交々渉ハ往々ニシテ他ノ先進國同
 ノ外交ト趣ク吳ニセサルラ得サル事態ヲ產生スルコ
 ト確ナラズ其ノ一ハ吾ノ人民ノ利害ニ重大ナル關聯
 アル事項既中吳民族ニ關ハル事項ニ付テハ政府當局
 言ニ外國トノ約束ヲ履行シ得ル實力ヲ候キ實行ヲ取
 ルヲ得サル場合アルコト、其ノ二ハ大兵ヲ擁スル實
 力派ノ勢力僅大ニシテ、政府ハ其ノ意向ニ動カサレ
 サラントスルモ得サルコト、其ノ三ハ内亂ノ頻發ス
 ルコト真ノ因ハ人民ノ集國威力カ政府ノ端榮ヲ左右
 シ得ル者大ナルコト等ナリ。從ツテ外交上ノ交渉ハ
 屢々困難ヲ來シ重兵長併カ事皆ラ宋解消ノ體故諱セ
 サルヲ得サル場合少ナカラズ、事ノ輕微ナルモノニ

付テハ關係國ハ已ムヲ衛ストシテ泣痕入ルヲ得ルモ
國家死活ノ重大問題ノ屬スル限り到底斯クノ如キヲ得
サルハ言フ迄モナシ、又文那政府トノ妥結事項ニ付
テ元之レカ完全ナル實施ヲ期待シ得ルハ政府ノ權力
ノ及フ地域ニシテ事ノ支那全土ニ屬スルニ於テハ、
關係外國ハ紙上ノ條約規定ノ存在ヲ以テ自ラ壓メ實
施ノ限地的ナルヲ默認スルノ外途ナシ。尤モ地方政府
權トノ交渉ニ依リ、此ノ錄ヲ備フノ義アリト體モ、
地方政府ノ政治力モ實勢力也又全部ニハ漫這シ居ラ
サルヲ通例トス。(B) 騎兵ノ武人カ政府ノ意思ヲ容易
ニ疊歎シ得ルコトハ、外交々諺ヲシテ複雜多端ナラ
シム。支那歷代ノ朝廷カ例外ナク武力ニ依リテ勢權
ヲ贏得タル結果、武人ノ勢力ハ常ニ陛下、文官ハ之
レカ身息ヲ覗ヒ、其ノ意圖ニ盲従セサル限り、其ノ
地位ヲ候ツコトアタハサルハ勿論、生命財産ノ安寧
スラ様ホ期シ得ハシテ、實力アル武人ハ立法ニ、行
政ニ、司法ニ、各々其ノ利益ニ依リテ干渉容営シ、
政府ハ之ヲ如何トモシ得サル實情ニ在リ、中華民國
ノ成立以來此端緒ヤ漠マリタリトハ云ヘ、支那全土
ニ付テ云ハハ猶示實態ヲ曉スル能ハサルナリ。從テ
支那ニハ三權分立ノ思想ト御度トアレトモ、實ナク、
外交々諺ノ如キモ中央又ハ地方政府トノ協調ノミニ
テハ成功ノ困難ナル元ノ少ナラズ。勢ヒ政府トノ

Aug. 11 33
Doc.

交渉ノ外、實力ヲ據ハル武人ノ詮得ニモ努メサル可
カラス。若シ實力アル武官ニシテ妥結ヲ欲セサルニ
於テハ、如何ナル外交系合モ巡ニ解決ヲ望ミ得サル
ラ當トシタリ。

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A.M.

(c) 民衆ノ集団的暴力ノ勢威甚大ニシテ其ノ鉤銃力外
交問題ニ向ケラル、ニ當ツテハ外交々涉ヲシテ普
通ノ外交手段ニ依ルヲ咎サラシムルコトアリ、近
代國家就中民主主義的國家ハ何レモ輿論ノ尊重ヲ
政治上ノ鐵則トセサルモノ無シト雖モ其等諸國ニ
在リテハ民意ノ過誤ニ致シテ得ベキ機體ト
會ヲ持ナ且ツ又ヲ審定シ議論シテ國政ニ愛を入ル
ルノ体能ヲ具ヘ輿論ヲシテ俗規ヲ逸セシメス政治
ヲシテ人民ノ総意ニ合ハシムルヲ得ト雖支那ニハ
其等ノ組織ト体能トヲ皆カタメ、所謂輿論ナル
モノハ形而上ニ於テ若クハズレヲ實行ニ至ス
手段方法ニ於テ無難無能能トナルヲ弃レハ。今支
那ノ所謂輿論ナルモノノ形而ノ道途ヲ見ルニ少
人士ハ少壯無經見ノ學生カ中心タリシコトアリ、
時ニ無恥ノ徒タルコトアリ一カ又群民族ノ電回
ノ實同者ヲ皆ルヤ彼等ハ徒黨ヲ組ミ其ノ集団的
力ニ依リテ多數ヲ包羅シ以テ所謂輿論ナルモノヲ
作り上ケ民衆集団運動ノ力ニ依リ之ヲ實現セント
スルヲ當トス而モ其運動ハ無観通ニシテ暴力ヲ咎
ナヒ又ガ對象トセラレタル内外人ハ暴行有追ヲ受
ケ生前ヲ妨ケラレ家庭ハ焚カレ又ハ破壊セラレ斯

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Aet.

薩ハ燒却樂拂セラレ奉旨序之ニ然ナヒタル例少ナ
カラス
而シテ此民衆運動ニ依リ最モ多ク害ヲ蒙リタルモ
ノハ英、日兩國ナルベシ之ヲ近年ノ例ノミニ付イ
テ見ルモ一九四二年ノ香港及東省界ニ於ケル暴
民衆暴動ノ如キ一九二五年ノ五〇三〇事变ノ如キ
一九二六年ノ漢口九江等ノ英國管居留地にてノ
爲メノ暴力運動ノ如キハ皆英國ノ艦船侵官ヲ目的
トシ英國人ノ生命財産ハ毫忽ノ別ナク暴力ノ對以
トナリ廣東沙面ニ於テハ駆逐艦及ラスラ登陸シ
又及十回トナク繰返ヘサレタル日貨排斥ノ事
ノ民衆運動ノ如キモ日貨不買日本人僱用ノ引揚
等ノ消滅手段ヨリ日本人生命財産ニ對スル種々的
攻撃ニ迄彼辰シ佩奉狼籍言論ニ付スルモノアリ、
往々ニシテ世界何レノ國モ均シク民衆運動ノ如
トナリタルコトアリ一九二〇年ノ國匪事件ハ皆ク
指クトスルモ一九二六年ノ同事件當時ニ於ケル
一派的勢力運動ハ其ノ故モ誠著ナル一例ナリ
觀テ前記民衆運動ニ對スル反對政府ノ實質ノ如
ニ當ニ無爲ニ非ザレバ無氣ニシテ之方略ノ如
ナク挾手シテ運動ノ下火トナルヲ持ツ得トシ、日
貨排斥ノ民衆運動ニ際シテハ又ヲ煽動又ハ之ヲ利

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尾シテ日本ヲ屈従セシメン上シタリ管テ掛日本ノ
令ノ豊布ヲ見タルコトアルモ一第一次掛日禁止令
ノ年頃ハ記憶セス、第二次禁止令ハ一九三五年ニ
豊布セラル一何等之勢ナキ空文タリシニ覺ギズ。
長宗親勅カ如何ニシテ支那ニ於テ斯クシモ豈無
シテ無軌道タルヲ有ルヤノ日本國ハ右親勅ノ本
意ヲ會得スル上ニ於テ是非共知悉ヲ厚スル所ナル
ガ支那民族ノ政治理念ト碰メテ深キ門下ヲ有ス、
支那ノ人民ハ古來ヨリ他國ニ居ドハ勿シ見サル
ノ慶況ナル自由ト無量東トヲ厚シ苟クモ之ヲ妨
クルモノアラバ猶然トシテ反撫ハルノ事ニテ有ス
他方支那民族ハ甚ダ泥土變ニ厚ク發聲ノ善ム商工
業ニ付テハ第二回始者ヲ中心トスル堅田ナル「ギ
ルド」ヲ結成スル。

此ノ「ギルド」ハ他國ノ產業組合トハ至ク成立ノ
由來ト職能トヲ異ニシ法規ニ依リテ設ケラレタル
モノニ非スシテ自衛的保互援助團体トシテ古昔ヨ
リ存在ス、其ノ職能ハ單ニ産業上ノ諸問題ノ調査
ノミニ限局セラレス、日常生計冠婚葬祭ノ私事迄
モ之ヲ規律シ團員ニ關スル民刑等事件ノ裁判及ビ
私行スラ自治的ニ行フ所ノ世界各國ノ組織ナリ、
而カモ政府ハ多く之レニ干涉スルヲ得ス、若シ政

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Aet.

府ノ施策ニシテ飯等ノ利害二門ニ反スルニ於テハ
暴力ニ依リ反讐ヲモ憚ルコトナキナリ
支那民族ハ亦自衛ニ付キ強烈ナル特殊概念ヲ有ス
此ノ概念ハ支那ノ無秩序下内亂ノ頻發、匪賊ノ橫
行ト政治ノ無力トニ拘ハラス法律上ノ保護ニ多ク
期待シ乍ルコトニ鑑也ス。
支那ヲ旅行シタルモノハ地方ノ農村ニ至ル是既口
ヲ附シタル城壁又ハ高塹ヲ廻ラスヲ見ルヘク、又
地方官豪等ニシテ數十、数百名オハ實力ノ武者ヲ
有スル設偏隊ヲ私有スル者少カフス、匪賊軍士ノ
武器ヲ有シ寡聞ヲ結成スル一團ノ理由モ以テニ有
シ、支那ノ内亂ニ際シテ長々結成セラル、官ノ範
域外ニ在ル西國、工農兵ノ半領的組織ト謂ムトヲ
有スル私兵團ノ出現モ自衛運動トシテ支那民族ノ
當然現スル現象ナリ、又支那ニ所謂鄰軍ナル一
ノ自衛的兵團アリ、將領ノ私兵トシテ其ノ生計は
產ヲ供給シ兼ネテ兵員自身ヲ守リ、且地方民兵中
有產階級ノ家メニ應シテ其ノ生命財産ヲ保護ス、
而シテ鄰軍ノ組織及ビ存立ニ付テハ支那ノ軍事又
政府ハ毫モ與リ知ラサルヲ悟トス、鄰軍ニシテ往
々正規軍ニ歸入セラレ、傍宋軍令ノ名ニ於テ支那
正規軍遂ノ元氣ノ下ニ立ツコトアルモ、財政上ノ

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援助ヲ受クルヲ主眼トシ、將來ノ備入レ、結果ノ
決定等ヘ依然トシテ難解將領ノ手ニ貢ルモノ多シ
支那民族ノ自衛ニハ觀々ノ特長點ヲ包藏ス、其ノ
第一ハ自衛ガ實力ノ行使ヲ伴ナビ武裝ヘ自衛自
ハ刀、劍、小、拳銃等ヲ所持シ往々砲ヲ使用スハ
モノアリ、廣東「テルタ」地方ニハ飛行機サヘ使
用スルモノアリト云ヘル一ヲ依用スルコトナリ、
其ノ第二ハ樂國徒黨ヲ組ムコトニシテ、多様聯合
ノ威力ヲ常ニ發揮セラル、他ノ國家モ正當防衛ヲ
遂行トスルモ極害者力緊急已ムヲ得サル場合ニ於
テノミ此行動ニ出スルヲ認メラル、然ニ支那に
族ノ自衛ハ緊急ノ危急ヲ謀ラサルトキト雖、猶亦
發動セラルルコトアリ。

其ノ第三ハ自衛樂國ノ行動方必スシモ勿又ハ政
府ノ命令等ニ遵依セサルコトナリ。

支那ノ自衛國体ハア往々ニシテ他ノ民衆運動ニ呼應シテ行動ヲ開始スルコトアリ、排外運動等ニ其ノ例アリ。

前記各種ノ特種事情ハ支那ニ集団的民衆運動ヲ發生セシメ特異ノ行動ニ出テシムルニ至リクル體臣及理由ナリ之ガタメ支那ノ内政ニ獨特ノ形態ト方式トヲ與ヘタルハ勿論ナルカ外交問題ニ付テ亦人民ノ主張ニ特殊性ヲ持タシメタリ、即チ外交ヲ以テ既行ノミニ任せ置クヘキモノトナサスシテ民衆自ラ立ツテ之ヲ自己ニ有利ニ辰闇セシムルヲ當然ノコトトセリ民衆カ外交問題ニ付キ集団的暴力ヲ用アルニト體ニ類例ナキハ之ガタメナリ。

外交ニ關スル民衆ノ暴力行使下政辱ニ之ヲ鎮壓スルノ力ト誠意トヲ缺クコトハ自然對手國ヲシテ國家ノ死活ニ關係スル重大問題ニ付キ自ラ石暴力ノ發動ヲ排除シ支那政府ノ外交ヲシテ軌道ニ上ラシムカノ概道ニ出ズルヲ余懶ナカラシム。

(P) 嶺外海外ノ思想ノ興烈ナルコトモ見透シ得ザルノナリ。支那三千年ノ歴史ヲ見ルニ支那人民ノ降漢人體ハ他ノ支那國民ニ比シ高キ文化ヲ享受シ他民族ヲ以テ所謂夷狄トナシ基シキハ勿論已セリ併ルニモ拘ラズ漢人ハ第ニ四族ノ異民族ノ攻略ニ苦シミ被

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等ニ依リ全土ヲ領属セラル、ニ至ルコト一月少
ラス於是乎民衆ニ蒙スルは實下壓迫トハ遠ニ及民
族ノ社會ノ一二事成スルニ至リサレバ十八世紀以
來人ノ始メテ文書ニ在留スルニ至ルヤ白人ヲ以テ實
狄トシ之ヲ眞ミ之ヲ詔示シタリ、一八四二年英支商
京條約ガ外國人ヲ威ト仰ア可カナル旨ノ一體係ヲ
設ケタルハ邇間ノ消息ヲ語ルモノナリ、其ノ後文書
民族ノ外人ニ譲スルノ機會參予ヲ加ヘ以テ其ノ馬
想ハ漸次緩和セラレタリトニ尼一月過ク内地ニ至
ンカ今猶ホ賤外洋外ノ思想ハ參ク云ヘタリト見ルコ
ト能ハズ確從來内地住民ノ帶はフ石シタル矣二人ハ
基督教宣佈ノミナリシヲ以テ内地ニ於ケル其ノ思想
ノ發現ハ殆ンド皆右宣教母ニ付キテ起りタリ之ヒ單
ニ信仰上ノ問題たりシノミニ非ズ計ムノ事也
多ク織り込マレタリ又支那ト兵口ノ戰爭及英國ハ
殆ンド支那ノ洋外民族ノ思想ヲ背負トせアルモノナ
クヘ一八四二年英支阿片戦一八二八年度一八六〇
年ノ英佛聯合軍侵争一八七四年寧古事件一九〇〇年
國匪事件一九三二年及一九三七年ノ日支戰争一九二
六年ノ南京事件等一長々體運セシタル海外民衆道
モ深ヨリ然リシナリ。而シテ支那ノ洋外民族ノ思想
ノ發展ハ支那ヲ對手スル反對ニ信奉ノ方策ヲ余儀

ナカラシメタリ。

ナカラシメタリ。支那ノ外部ノ思想ニ直面シテモ古シキ立場ニ
在リタルハ日本ナリ、蓋シ日本ノ支那ニ對スル關係
ハ明瞭ニ説明スル如ク日本ノ左存續ノ保持上継業ニ
該歩シ又ハ権威シ集キ幾多ノ事件ヲ有シ支那ノ諸
思想ヲ突破セザルヲ得サル吾輩ニ在ルカタメナリ。

第二章 支那ノ外交手帳ノ體系(ハルトマン方式)

ヲ 借 索 ナ ラ シ ム

(A) 以良闇處ノ方策ハ對支事變ヲ根柢多シナラシメタ
リ、支那ガ一八四二年開港以後久シク先進國ノ爲
追ニ呻吟シ自力ニ倣ル事出ノ變革ヲ至るト見ルヤ一
外國ヲシテ他外國ヲ牽制セシメ反間諺向ノ策ヲ以テ
艦局ヲ打開セシコトヲ期シタリ、而シテ支那ニ在日
テ最モ長ク長居ノ地位ヲ確保シ得タル英日ハ最モ承
ク此ノ實謀ノ對象トナレリ。日本モ亦是々意ノ厄ヲ
國ノ干涉又ハ容情ヲ避ケントシタルハ事件ノ糾紛ヲ
墮ケ以テ解決ヲ容易ナラシメントノ用意ニ田アタル
モノニシテ他意有ルニ非ス、江東「モンロ」主義ノ
樹立ノ如キハ素ヨリ夢想モセザル所ナリ、日本カ
一九三二年春美術三國ノ日支流合ニ關スル回答に出

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ヲ拒絶シタルモ一リツホンニ委員會ノ報告ノ添用ヲ
拒絶シタルモ亦此ノ趣旨ニ當テタルモノナリ
(B) 中央地方ノ兩政府ハ互ニ責任ヲ追認シテ交々渉ノ
安堵ヲ至誠ナラシメタリ、聖文承天々上文並全土
又ハ二省以上ニ亘スハ一體的宗旨ニ付テハ主トシテ
中央政府ヲ又地方的問題ハ之ヲ當該地方政府ヲ對手
トスルハ在來ニ於ケル日本ノ方針ナリ然レトモ中央
地方ノ制會關係ノ復讐鎧塗ハ右方針ヲ以帝ナランメ
ニシテ中央、地方兩政府ヲ對ニシテ交渉セラシテ
ル可カラザリシコト參シ然レトモ少クノ場合萬國ノ
政府ノ責任回避ニ追認シ中央ハ地方ノ意向ヲ云々シ
地方ハ中央下ノ交渉ヲ求メタル例多シ之ニ甚ク交渉
ノ復讐ト遷延ハ忍フ可シトスルモ、如何ニ熙念重要
ノ復讐ナリトモ長年月ノ努力ニ拘ハラス御満ノ時光
ヲサヘ認ムルヲ得サリシ幾多ノ事例ヲ記憶ス、文部
ノ不統一其ノ他ノ事情ハ斯クノ如チ事態ノ變遷ヲ已
ムナカラシムルハ既ナキモ對手國ハ之レカ爲メ最難
ニ亘ル忍耐ト權益喪失トヲ餘韻ナクセラレタリ、而
シテ事ノ極メテ緊急重要ナルモノニ在リテハ、該
國カ遂ニ安堵ニ付キ普通ノ外交手段ニ依ルヲ得スト
思惟スルニ至ルコトアリトモ悉ク之ヲ不合理ト皆ス
ヘキニアラス

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(c) 支那政府が政情宣行ノ手段トシテ民族運動ヲ利用シタルコトモ亦支那ニ於ケル特殊事情ノ一端ス。巧妙ナル僻合ヲ角ヒ隱密ナル手段ヲ弄シ以テ外交々涉ヲ推進スルノ妙ヲ得タル點ニ於テ支那ハ世界有数ノ國ニシテ屢々民族運動ヲ利用シテ交渉ヲ有利ニ展開セシメントシタリ。然レトモ支那民族ハ常に必ニシモ政府ノ意圖ニ副フモノニ非サルヲ以テ民族運動ヲ用ニ當ツテハ尤モ民心ヲ繋ヘ得ヘキ間口ヲ取上ケサル可カラス。於是乎支那政府ハ近年利權回収ニ民族運動ヲ利用スルコトニ成功シタリ蓋シ利權回収ハ支那政府ノ最も誠心スル所ニシテ政治家石翁等ノ後盾ノ如キモ一九二六年南京奠都後間ニナク之ヲ以テ外交上ノ一要諦トシタリ、而シテ此種回収議ハ日清戦争ノ頃より早クモ行ハレ候ニ支那上下ノ心ニ喰ヒ入リ居ルヲ以テ政府下シテ最も民心ヲ端フルニ道當ナル問題ナリシナリ、他方外交官ニ依ル利權回収交渉ハ尙ほニ端出ニ遭遇シ租界回収、治外法權撤廃、領事自主権回復等ノ諸問題ハ何レモ支那内部ノ事情へ因ヘ治外法權撤廃アリタルノミ一ト列國ノ利害關係ノ錯綜へ因ヘハ

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旨外法體議長ニ付キ關係國ハ列國ノ地位ノ均等ヲ堅
張セシコトヲ忌ヒ他ノ一切ノ關係國ノ同意ヲ條件ト
シテ該國ニ同意シタルカ如シ一若クハ一部口在英國
ノ不承認（例へハ管太祠カ自國憲書后口地ノ該國ニ
強硬ナル反對意見ヲ表明シタルカ如シ）等ノ爲メ急
速ノ解決ヲ至急ト見ルヤ、支那政府ハ一方外交々涉
ヲ懶視シナカラ、他面時ニ民衆運動ヲ活動シズハ之
ヲ視用公儀シテ交渉促進ノ手段トシタリ、尤モ民衆
運動者ハ信ニ坐ハシモ政府ノ意圖通りニハ行動セス
往々外交々涉ノ豈誠相分ノ政事シテ當局ニ奉行ヲ加
ヘタルコトスラ有リ（例一九二七年外交部長王正廷
氏カ外交部ニ於テ民衆ノ發印キニ遇ヘルカ如シ）然
レトモ運動ノ餘孽カ外國側ニ向ケラル、限リ政府ハ
巧ニ之ヲ利用シ、其ノ暴行會通外賓ノ毀燒、外國人
住宅ノ侵入破壞等條約ニ違反シ人道ヲ無視シタル右
行動ヲ袖手傍見シ、彼等ノ實力ニ依リ自己ノ交渉ノ
有効ナル立場ヲ期待シタリ、關係國ハ何レ民衆運動
ノ脅威ニ苦シミ、每ニ支那政府ニ對シ嚴重抗議ヲ
提出シタルモ支那政府ハ或ハ形式的ナル諭諭ヲ加ヘ
又ハ脅威ノミニ取締ヲ爲スニ止マリ素ヨリ之レカ鎮

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臣ノ誠意ト實力トヲ以テ寧口私ニ其ノ益々盛ナラン
シヲ欲シタリト見ルヘキ場合少ナカレス、茲タシキ
ニ至ツテハ支那政府ハ外國領ノ抗議ニ關する英國運動
タル民衆運動ハ之ヲ防止スヘキニ非スト宣言スルニ
至レリ、斯クテ列國ハ謹歩ニ誠歩ヲ重ネテ支那政府
ノ要求ニ屈從セサルヲ是ナルニ至ル由ハ之ヲ一九
二六年ノ漢口九江、兩英國葛羅居留地ニ對スル地方
暴民ノ暴行ニアヒ英國方面ニ所屬對支新政策ヲ聲明
シ之カ回敬取締ニ詞印セサルヲ得サリシ事件其他ニ
之ヲ見ルヲ當ヘシト以該關係上政局ハ決シテ外交ノ
正道ニ非サルモ致テ不法ト云フ可カレス、然レトモ
民衆方暴力ヲ以テ外國人ノ生命財産及ヒ糧食ニ重大
ナル危害下會議トヲ加フルヲ仁義シズハ傍門シ之ヲ
外交々渉ニ利用スルニ至ツテハ他ノ諸國ニ全ク類似
ヲ見サル非友好的ナル暴戾手段ナリ、而シテ之レニ
依リ頻繁且ツ最モ酷烈ナル災厄ヲ蒙リタルモノハ日
本政府及ヒ日本国民ナリ、慶重リシ日清戦争於テ
幼老婦女子ニ至ル迄支那在留者ノ全部ノ受ケタル災
厄ハ激甚ニシテ民衆運動者ノ凶暴浪濫等ト筆紙ニ
盡シ難キモノアリ、日本政府ハ頗リニ抗議ヲ提起シ
暴行暴國ノ彈壓下損害ノ賠償下後期ノ如キ事態

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ヲ生セシメサル保際ト支那政府ニ要ぶシタルモ、
幾百ノ抗議ハ深淵ニ張シタル砂礫ノ如ク何等ノ効果
ヲ見ルコト能ハスシテ已ミ在日日本人ハ職ヲ失ヒ業
ヲ離レ延ヲ失ヒ住家ヲ追ハレ其日々々ノ生活ヲスラ
爲シ能ハサル悲惨ナル境遇ニ陥リタル者甚多ク往
々生命ヲ失フ者有ルニ至レリ。斯くてハ長小民度ノ
貿易ヲスラ之ヲ持續シ難シ況シヤ故國ノ貿易大閘口タ
ル支那トノ經濟關係ノ如キハ夢想タモシ得サル窮
境ニ陥リタリ。此事實ハ最初ノ内コソ局地的ニシテ
體質兩國モ謂々短力カリシカ斷次文部金士ニ日本マリ
且長期ニ亘ルニ至レルヲ以テ國家ノ滅亡ト對支那法
體益ノ喪失トヲ過クル力爲メ日本ハ外交ノ偏重以外
ノ方法ニ依リテ局面ヲ訂闕セサルヲ得サル狀勢ニ迄
追ヒ込マレタリ。滿洲事件、支那事變等ノ物騒ヲ考
フルニ當ツテハ右ノ狀勢ヲ考慮ニ入レサル限り候シ
テ妥當ナル判斷ヲ下スコト能ハスト思考ス

第三章 日支兩國ノ特異事ハ日本ノ生存ト直接シ未
解決ノ事ニ付シ長クヲ待サル事大示ロ様生マシメタ
リ。支那ニ重大アル想害山本ヲ有スル國家多シト誰
家生存ノメ一ヨモ遠カニ所伏セラレサル面カラサル
實勢ノ眞況外又本質ヲ有スルモノハ日本ヲ些イテ體ニ
存在セス

支那開拓力日本ノ化粧ノ顛端ナルハ國土ノ近望ナル地
理的条件等情ニ基クハ言フ迄モナクニアガム事體ノ實
支那ト西一ニ歸スハキニ非ス一九一七年ノ日米鈴石
ホラソシングル元力地震的近接ニシク日本ノ海鮮生垣
ヲ觀メタルハ其ノ證左アリ然レドモ免ニ既ク其ノ由來
ニハ斯ラフルニ過剰人口ノ説ニ益ク日本ノ現狀ト
其ノ處理工ニ於ケル支那勞工ノ地位トニ左スト云フヘ
シ日本ハ年々約八九千萬ノ人口增加ニ苦ミ之レカ宣然
ノ事タル政治上、社會上以ビ經濟工ノ事體ト不安ト
ハ年ト共ニ増大シ之カ實質宜シキヲヤ否ヤハ國家
存亡ニ關ハ緊急ノ重大問題トナレリ然ルニ不幸ニシテ
日本國內ニハ殆ントノ、余地ヲムサス。產兒率限亦
到底有似ナル程度ニ強過ハルヲ待ス制所ハ海外移民
ト工業振興ノ二者アカルミナリシナリ然ルニ移民ノ過
國道地ハ何レモ日本國民ニ譲讓セラレ甚々シキニ至ツ

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テハ日本ナルモ土ト通天ナルニ音トニ萬マルニ御ハ
ラス故往ノ日本ニ氏スラ之ヲ皆除許示スル事有り、斯
クテニ外國民ニ任ル過制ハ口ノニ御ハ近年々ク望的
トナリシヒニサレタル雖一ノ過タノ工藝堅ニ様ルニ
此ハソハ日本ハ將ニ滅亡セントハカニ至リ、然ルニ
日本方御實ト地城トニ遠ダムアレサカニ兵下解ニ與ニ
御心ナル原君ハ之ヲ海外ニ承ヌサカ可カラス、是
事モ亦小此ニ足ラ傳ナル可ガラセバニハラス等、
ハ日本ノ情勢ヲ去ハコト甚々遠方リノナリ、今工藝品
潤ニ付テ見ヒハ近年日本工業力、紅毛力ヲ雄大シキ語
ノ大外進出ノ征監トナルニツレ生産國、多貿ハ原沖洪
管ニ頻次輸入ヲ加ヘ前項事變反ヒ特知、勃興ノ直前ニ
至ハヤハ、然ニ甲冑出入ノ制限禁止、總制限ノ導角
營業者ノ取引權遮塞ノ體ノ上旨ナハ總制限ニ致り日本
本工藝ハ正タシキ處ニシミタリ更ニ之ヲ日本製品
ノ為ニ市内ニ付テ居ルニ第一工藝界大體終焉干モナク
シテ日本製品ハ外ト共ニ殊々強ヲ加フル、總制限
入禁止真、他ノ通信ノ下ニ在リテ六ナルセラ野率ニ記
ク也ハサルニ至リ日本政府ハ許示云、古參ヲスル
ニ當本尼テセリノナリ。

斯クテ日本ヲシテ成ク世界ヲ獨手トスガ工藝雄興、方

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對ヲ禁テ、一切、努力ヲ及ぶ大臣ニ依申シ、リテ
謀ニノ生命ヲ奪ふハルノ件ナキニ至ラシム事ニ、訓
件及支那事件ノ公ヲ作りタリ證シ言葉體ノ日本臣民
排斥ト曰出人貿易は追カ一半ノ谷ヲ西ハキナリ
ト云フモ過言ニ非サルヘン、日本ハ終ヨリ古都ニ
テ、土的之心ヲ有セス、兩國ノ經濟交渉ニ於キ日本ハ
其ノ足ラサカルに賛ラ安靜ニ承メヌ足部ハ矣、足ラサル要
品ヲ日本ニモトス、同相マツテ兩國ノ
諸侯ト越東ノ平氏トヲ立シ世界ノ平氏ニ貴賤セント
シ實テ他意無カリシナリ、之レヨリ虚無ナル外交事
令ニ非ス、余ノ歴史タリシ二十餘年ニ可リ上扁ヨリ
翌エス朝カサレ且ツ宗方一兵トシテ實現ニ努力シタル
日本ノ獨立方策ノ成特ナリ、日本カ憲政的ニシテ暴力
的ナル之十回ニ亘ル文書ノ序日既日ノ運動ニ附シテモ
忍耐重ヲ棄不來リタルモ猶尙ニ於テ日本而外ハ未
然ニ在ルハキ運命ニ僅カレタリト惟シタル力爲ナ
アリ然ルニ此論議ニハ此理念ノ達成ヲ博スヘキ若干、
重大な因子シタリ莫ノ主張ナルモノニ口士不平氣氛
アリ平野議クノハ幾論ナシ日本ハ夙ニ不平等ヲ是正シ
日本而外カ平等ノ地位ニ立テテ有無相渾ノ圓滑且ツ完
全ナル安寧ニ至ラシコトヲ期シタリ、元が日本カ支那

3
11/3
ニ於テ不平等ノ件にア有スルニ至リタルハ英既其、他
ノ事跡ニシルルコト五十餘年、一八九五年ノ日清事變
流血ノ経緯ニシマリタルニ過モナリシカ一九〇一年
ノ支那日清事變既ニ既リ早クモ治外法權ノ廢止、
英國ヲ認定シ、ハイテ一九二一年ノ華盛頓會議ニ於テ
日本又ハ韓國セラレタル議論別段ヒ定ニモ欣然其那
シ更ニ一九二五年ノ北京ニ開催セラレタル支那關稅改
訂ニシスル國際會議ニ於テハ實物上ノ損失ノ少ナカラ
サカルモシミハ申がノ既主權回復ニ付キ最モリベ
テナル係調査ヲ擔當シテ審議ヲ主導シク其後ニ於
テモ不平等條約ノ廢止ニシスル文書ノ國民的願望ニ對
シテハ當ニ意モ深切ノ同情ヲ表シ及レカ空想ノ一念モ
遠カナランコトヲ期シタリ不辛ニシテ列強ノ私慾ニ云
ノ續續其ノ他ノ理由ハ右ノ實現ヲ追延セシムルニ至リ
タルモ一九四〇年ニ至リ遂早クモ兩兄政府トノ軍ニ數
々ノ講約ヲ締シテ治外法權ヲ廢止シ東洋ノ殖民地ヲ逐
付シ經濟撫民ノ原則的規定ヲ體クルニ不レリ右條約カ
今日ニ於テハ威力ヲ認メラレサルニ至リトハ云ヘ
日本ノ對支那本方針カ何レニ在リシヤア實知シ得ヘキ
一事體ナリ當時日本ハ更ニ進シテ支那ノ領土ニ貢獻シ
ヘキ條約ヲ講スハノ開港ヲ有シタリ鄭介石氏ノ政

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素地ヲ作ラノカ爲メナリシナリ、日本ノ支那ヘノ
ノ堅要ト諒意トテアリ事件反対之時當時ノ如ク高廟
マニシタル時期ハ會テ之レアシ此時ニ會ツテ日本ハナ
ンゾ好シテ一時的ニテモ國父ヲ頤官ハガカ如キ精道ニ
出テノヤ元來外交ノ急引ハ往々ニシテ對手國民モ此ノ
利用ニ底リテ爲サルルコトアリ、兵力ノ脅威又ハ行便
ニ依リテ力ニ弱キ支那八ノ勝利ヲ利用シタルハ其ノ例
ニシテ一八四二年支那開國以來十九世紀及二十世紀ノ
前半期ニ於ケル英領諸國ト支那トノ間ニ結セラレ
タル諸條約ノ既子數ハ既ノ實體ニ致り成レリト云々モ
過言ニ非スがニ一九〇〇年ノ國恥事件解決ニ關スル諸
條約ノ如キハ參照大國ノ合兵力ニ致リテ當時ヲ可也
ナラシメラレタリ、近年ニ至リ以米諸國力既ノ手段ヲ嘗
ニ用キタルノ例ハ多ク之ヲ國力スト雖絶無ニアラス、
現ニ一九一二五年五、三〇等竹ニ於テ兵士二萬ノ大兵
ヲ支那ニ上陸セシメ他ノ列強モ亦艦隊ヲ上海ニ上陸
セシメ一九二六年英艦ハ萬縣ヲ襲撃シ一九二〇年一?
一九二一年ハ張作霖ノ謀殺ニ謀シテ孫雲比加直
等地方ニ於テ淮揚直ヲ攻撃シ一九二六年ノ南京事件ノ
際米、鴻、日等諸艦ノ軍艦ハ南京城ヲ砲撃シタリ、而
シテ列強カ京津地方ニ承年ニ亘り守備隊ヲ派遣シ又支

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Ae
証人ノ解説、右江ノ事務部市二三郎様ヲ船尾シタル多良
宣澤ヲ當院セシメ、久度々在西ハラ以テ口傳セテレ、
試音ニ就キテ之を訊かセラカル一堂ノ野體音候ヲ識
シタルコト等ハ首肯一ノ場合ニ於ケル重力行停ヲ新號
トス右ノ内丸支尾也既ノ前後ハ一九二一年嘗て領會設
立會、此處にて之に止マシム事不外ハ世俗有り
シテ存続シタリ。

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或ハ之ヲ以テ居留民ノ保護ノ非常必要ニ出タリト
爲ス者アルヘシト雖國利ノ保護力在留民ノ保護以
外ニ多ク存セサル諸外國ニトリテハ前記ノ支那ヘ
ノ武力當置ハ事實上居留民ノ保護ノミヲ目的トシ
得ヘキモ日本ノ對支利害ハ之ト大ニ遠ヲ異ニ斯殊
ニ日支經濟提揚上ノ利益カ日本ノ存亡ニ係ル重大
利益タルハ既述シタル通りニシテ萬已ムヲ得サル
場合ニ於テ之レカ保護ニ強硬手段ヲ用ヒルコトア
ルヘキハ他國ノ認識セサルヲ得サル所ナルヘシト
信ス

一般ノ國家間ニ於テハ一國ノ他國ニ對スル兵力行
使ハ戰爭トナリ之ヲ行使セストモ兵力ニ依ル威壓
ハ戰爭發生ノ危險ヲ包藏スルヲ第トスルモ支那ニ
於テハ必スンモ然ラサル特殊ノ事情ノ存スルコト
モ亦此際考慮ヲ要スル事情ナリ嘗テ英聯ハ一八七
四年ノ雲南事件ニ際シ兵力ヲ香港ニ集中シテ芝罘
條約ヲ締結シ得タリト雖モ右ハ英支戰爭ニ發展ス
ルコトナクシテ已ミ一九二五年ノ五卅事件ニ際シ
英國ハ二萬ノ兵力ヲ支那ニ上陸セシメテ日本ニモ
共同出兵ヲ勸告シタルカ拒絕セラレタリ一事件ノ
解決ヲ圖リタレトモ之カ爲メ兩國間ノ戰爭ヲ惹起
スルニ至ラサル事實アリ又一九二六年ノ南京事件
ニ際シテノ英米佛等ノ諸國軍艦ノ南京城砲擊モ亦
對支戰爭トナラス一九二九年「ソ」聯軍ノ張學良

1933. Dec. 11

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年正月モ亦立テ 則手トセラルルコト無カリシナリ
斯ク觀シ來レハ支那ヲ對手トスル外灰ハ他ノ一證
外交ト異ナル一時氣氛ノモノニシテ兵力ヲ以テシ
又ハ其脅威ヲ以テスルノ差アリトハ云ヘ對支強力
行儀ハ至大ナル外交事件解決ノ爲メ列強カ屢々用
ヒタル手段ナリ

特日同是解決ニ付キ日本カ支那ニ強力ヲ行儀シタ
ルハ右等ノ先端ニ從ヒタルモノト見ルヘク假令之
カ一體國際法規定ノ違反ナリトスルモ支那ノ特殊
事情ハ遺憾乍ラ日本ヲシテ此行動ニ出ヅルヲ餘儀
ナカラシメタリ

滿洲事件及支那事變ニ於テ日本カ兵力ヲ動カシタ
ル眞目的ヲ茲ニ標返シテ越フレハ民衆ノ對日暴力
ヲ除去シ日支外交ヲシテ輓道ニ上ラシメ以テ日支
間條約ノ保障シタル權利利益ヲ保護シ且ツ日本ノ
死活問題タル日支經濟提携ニ關スル日支兩政府
間ノ眞意ナル安縫ヲ容易ナラシメントシタルニ過
キス故ニ若シ石安縫ノ可能ナラメムル事態タニ發
生セハ支那ヨリ全面的ニ撤兵スヘキハ日本政府ノ
當初ヨリノ意圖ナリ野介石野軍ノ指揮下ニ在ル重
慶政府ハ撤兵ヲ先決問題トシ經濟提携其他ノ外交
交渉ハ撤兵實行ノ上ナラテハ之ヲ爲スヲ御ストノ
意向ヲ委内シタルコトアルモ既述ノ支那ノ特殊事
態ハ日本政府ヲシテ此意向ニ副フコト能ハサラシ

Doc. 1/3.3.

メタルヲ過譲トス

要スルニ兩事變ニ際シテノ日本ノ支那出兵ハ全然
侵略ノ意圖ヲ包藏セサル綱領タル官衙的軍事行動
ナリ而シテ此軍事行動ハ條約ノ違反ニ非ス日本
ハ一九二八年一ヶロツグ、ブリアン＝條約ノ締結
ニ當り米英兩國ト同シク自行權ノ行使ニ對シ同條
約が適用セラルヘキ趣旨ノ關係ヲ附シタリ而シテ
自行ノ必要ト程度トヲ當該國ノミカ決定シ得ヘキ
事項トスル米國歐洲卿ノ當時ニ於ケル聲明ハ日本
ノ系ヨリ實例シタル所ナリ從テ右兩事變ニ於ケル
武力行使ノ程度及方法ヲ決スヘキ地位ニ在ルモノ
ハ日本ヲ指イテ他ニ有ラス
之ヲ以テ競争ト見ルヘキヤ否ヤハ蓋シ意見ノ歧
ル所ナルヘシト雖モ日本ニ競争ノ實體ナク宣戰ナ
ク支那亦開戦ヲ宣シタルコトナク且ツ過云ニ於ケ
ル列強ノ對支武力行使カ競争ト認メラレサリシ多
數ノ事實アルコト等ヲ鑑ミルヲ要シ武力行使ヲ以
テ一律ニ競争ナリト斷スルハ支那ニ於ケル特殊ナ
ル事態ヲ無視スルモノト云フヘク瀋淵事件及支那
事變ヲ以テ競争ト思惟セサル日本カ兩事件ニ對シ
一切ノ競争法規ヲ適用スヘキニ非スト主張スルハ
當然ナリ

Ref. Doc. 1133

日本ノ企及スル日支經濟提携ハ滿洲事件及支那事變ニ於ケル日本ノ武力行使アリタリトテ之ヲ侵略ト見ルハ當ラス、若シ侵略ナル字句カ勢力ノ對外發展ヲ意味スルニ於テハ經濟侵略國ハ日本ノミニ非ス、然レ共若シ之ヲ文字本來ノ意義ニ依ル侵略ヲ意味スルニ於テハ、日本ヲ經濟侵略國ト稱スルハ甚タシキ誣謗ナリ、日本ハ支那トノ相互ノ了解ヲ去穢トシ日本ノ過剩人口ノ極大ナル壓迫ヨリ免カレ以テ其ノ生命ヲ維持セントシタルニ過キス、一九〇〇年列強カ北支ニ於テ大兵力ヲ行使シタルモ此等諸國ノ對支經濟發展ヲ以テ經濟侵略トナス者ナク又一九二五年南京事件ニ際シ英錦等諸國軍艦カ南京市ヲ砲撃シタルモ此等諸國ノ對支經濟活動ヲ經濟侵略ト云フ者アリトハ予ノ未タ嘗テ曰知セサル所ナリ、日支經濟提携乃至條約上ノ權利ニ基ク日本ノ經濟活動カ滿洲事件及支那事變ニ於ケル武力行使ニ依リテ如何ニシテ經濟侵略ニ變質スヘキヤノ理由ヲ解スルニ昔シム

前記日本ノ企圖スル日支經濟提携ハ亦支那ニ於ケル列強ノ商工業上ノ機會均等主義ヲ否認スルモノニ非ス此主義ハ一九〇〇年ノ「ヘイ」國務卿ノ提議認諾以來日本ハ此主義ヲ確認スル凡テノ條約又ハ約定ニ参加シ屢次ニ亘り之カ嚴守ヲ約束シ假令經濟利益ニ好マシカラサル影響アル場合ニ於テモ

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之カ實施ニ付キ努力ヲ吝マサリシナリ、從テ日本ノ提唱スル日支經濟提携ハ支那ニ於ケル如何ナル經濟活動ニ付テモ日本人ニ獨占的利益ヲ獲得セシメンツスルニ非ス、然レ共茲ニ附言セサルヲ得サル一事アリ

海潤事件及支那事變ノ進行中ニ於テ機會均等主義カ事實上嚴格ニ行ハレ得サル事態ノ存シタルコトナリ此事態ハ諸ホ左記ノ該事由ニ起キ發生シタリ即チ(A)軍ノ行動上絕對必要ナル物資ノ購入等ニ當リテ納入物資カ極メテ多量ニシテ事實上外國人カ之ヲ購入スルノ餘裕甚少カリシコト(B)機關等ノ爲メ一段商取引カ一時甚タシク阻害セラレタルコト(0)機關ノ行ハルル地域ニ於ケル安寧秩序カ一時甚タシク亂レタル爲メ一段外國人ハ商取引ヲ手控ヘサルヲ得サリシコト(D)軍階上ノ必要ニ依リ外國人ノ往來カ一時禁止セラレタル地方アルコト即チ是ナリ

又往々日本商社ニ獨占ニ類スル特權ヲ與ヘラレタルコトアルモ右ハ限ラレタル特權事業ニ於テノミ存シ右特權事業ノ同種ノ事業ニ對スル外國人ノ經營ヲ否認シタルコトナシ

而シテ右ハ日本ノ對支武力行使ニ伴フ當然ノ結果タル已ムヲ得サル一時的變局ニシテ事態ノ改善ト共ニ漸次復舊スヘキ性質ノモノナリ、之ヲ以テ日

D.C. 1/33
M.

本カ外國ノ商工業上ノ均衡ナル七倉ヲ拒絕シタリ
ト爲スハ蓋シ過當ノ謠言ナリ、支那ヨリノ全面的
撤兵カ出兵ノ當初ヨリノ日本ノ方針タリシコトヲ
憲ヘハ右一時的措置ニ多大ノ重疊ヲ置クハ當ラス
ト思考ス、内亂外患其他ノ事由ニ除シ外人ノ係
網上ノ權利カ已ムヲ存サル事由ニ依リ一時享有ヲ
制限又ハ停止セラルルコトアルノ例世界ニ甚々多
シ右カ假令係網違反ト認メサル可カラサル場合ニ
於テモ關係國ハ之ヲ忍ヒタリ、日本ニ對シテノミ
寛容ノ態度ヲ持シ存サルノ理ナキニ非スヤ